

**TOWN OF NEWSTEAD - ZONING BOARD OF APPEALS**  
**MINUTES of January 18, 2005**

Present: Bill Kaufman  
Dave Wakeman  
Corky Keppler  
Ike Cummings  
Rebecca Baker, Zoning Officer  
Jennifer Heberling, Recording Secretary  
Christine Falkowski, Building Administrator

Bill called the meeting to order at 7:40 PM and led the Pledge of Allegiance to the American flag.

Ike motioned to approve the minutes from November 16, 2004, seconded by Corky and all approved.

**Public Hearing – Area Variance – Arrowhead Golf Club Sign – Clarence Center Road**

Public hearing to consider area variance request of 32 square feet (per face) for a 36 square foot (per face) sign at Arrowhead Golf Club on Clarence Center Road. In the R-A Zoning District of the Town of Newstead, Code Section 72-6 states “The following types of signs may be erected and maintained without permits or fees, provided such signs comply with the general regulations of the local law and other conditions specifically imposed by the regulations: B. On-premise directional signs for the convenience of the general public, identifying public parking area, fire zones, entrances, exits and similar signs, internally illuminated or non-illuminated, not exceeding four (4) square feet per face and six (6) feet in height. Business names and personal names shall be allowed, excluding advertising messages.”

There was no representation or public comment. Bill made a motion to close the public hearing, seconded by Dave and all approved.

Arrowhead Golf Course erected a very attractive permanent timber sign stating “Arrowhead Golf Course” on Clarence Center Road, apparently last fall. The golf course must be identified, and there are no homes in the immediate vicinity. Another problem was discovered---the sign is too close to the road by one foot. Code section 72-6 states that the sign must be 10 feet from the edge of the road right of way. Add this to the 25’ distance from the center of the road makes it 35’. The sign is located 34 feet from the center of the road right of way as documented on the sign permit application and verified this afternoon by the applicant. Ike motioned to approve the variance for the size with the condition that the owner applies for an area variance for the distance, seconded by Dave and all approved.

Also discovered and documented with photographs taken by Town of Newstead staff is another sign. This one appears to be a bit smaller, temporary, void of any lettering, and positioned south of the permanent side (even closer to the road). The Zoning Board of Appeals had these recommendations for the owner:

- (1) Sign permit be applied for
- (2) Sign moved to the north side of the permanent sign
- (3) Sign removed when golf course is closed for the season

**Route 5 Overlay District**

The Route 5 Overlay District was discussed, and members were informed that the public hearing will be held on Monday, January 24, 2005 at 7:30PM. Dollar General Store, the first applicant for site plan on Route 5 under this new Overlay District, was also discussed.

**Training**

The Board discussed topics of interest for training. They plan to meet for training even when there are no other agenda items. They would like to start with the February 15<sup>th</sup> meeting to learn more about the Overlay District and how it applies to variances. Drew Reilly will be contacted to see if he can present this topic. They are also interested in:

- Sign Ordinance
- Open Development (Flaglot) Ordinance
- SEQRA
- Special Use Permits
- Newstead Code Book

**Special Use Permits**

The Zoning Board is responsible for the renewal of two permits, a dog kennel on Stage Road and two miniature horses on Greenbush Road. The kennel was renewed for three years, until 2007. The horses were renewed for only one year, therefore, a letter was sent to Mr. Dulanski asking him to request renewal in writing for 2005.

**Variance Amendment – Barbookles – 6846 Cedar Street**

A variance of 34' was granted in 2002 for a 116' building lot. The paperwork for the split came in recently, and we noted that the survey shows the frontage at 78' instead of 116'. The Zoning Board does not recall any reason for this discrepancy. Corky made a motion to amend the minutes of January 15, 2002 to reflect approval of a 78' lot, seconded by Bill and all approved.

Corky motioned to adjourn the meeting at 8:40PM, seconded by Bill and all approved.

Respectfully submitted,

Christine B. Falkowski  
Recording Secretary